

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1305 be amended to read as follows:

- 1 Page 2, between lines 34 and 35, begin a new paragraph and insert:
- 2 **"(c) The state board of funeral and cemetery service may audit**
- 3 **or order an audit of the perpetual care fund of a cemetery if the**
- 4 **state board of funeral and cemetery service determines that the**
- 5 **custodian or trustee of the perpetual care fund is not complying**
- 6 **with the requirements set forth in subsections (a) and (b). The**
- 7 **cemetery that is the subject of the audit shall pay all costs**
- 8 **associated with the audit."**
- 9 Page 4, line 32, delete "The owner of a lot in a cemetery, the next of
- 10 kin of an" and insert **"The:**
- 11 **(1) owner of a cemetery; or**
- 12 **(2) if the owner of a cemetery is unable to be determined:**
- 13 **(A) the owner of a lot in the cemetery;**
- 14 **(B) the next of kin of an owner of a lot in the cemetery; or**
- 15 **(C) another interested person;"**
- 16 Page 4, line 33, delete "owner of a lot in a cemetery, or another
- 17 interested person" and begin a new line blocked left beginning with
- 18 "may".
- 19 Page 5, between lines 7 and 8, begin a new paragraph and insert:
- 20 **"(d) The board shall annually review the status of the fund. If**
- 21 **the board determines during its annual review that the fund**
- 22 **balance equals or exceeds two hundred fifty thousand dollars**
- 23 **(\$250,000), the board shall suspend the requirement to make**
- 24 **payments to the fund under section 5 of this chapter until after the**

- 1 **next annual review in which the board determines that the fund**
- 2 **balance is less than two hundred fifty thousand dollars (\$250,000).".**
(Reference is to HB 1305 as printed February 14, 2007.)

Representative Cheatham